

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KEVIN WAYNE MOBLEY, :  
Petitioner, :  
v. : CIVIL ACTION NO:  
HARRY WILSON, ET AL., : 06-4591  
Respondent. :  
:

**ORDER**

AND NOW, this \_\_\_\_ day of May, 2007, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, after review of the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey and no objections having been filed thereto by *pro se* Petitioner, Kevin W. Mobley, **IT IS HEREBY ORDERED and DECREED** that the petition for habeas corpus is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust state court remedies, and no certificate of appealability shall be issued.

**IT IS FURTHER ORDERED** that the Clerk of the Court shall mark the above-captioned case **CLOSED**.

**BY THE COURT:**

\_\_\_\_\_  
**/s/ Petrese B. Tucker**

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**Honorable Petrese B. Tucker, U.S.D.J.**